

PLANNING DEPARTMENT

DESIGN REVIEW BOARD STAFF REPORT

FROM:

Richard G. Lorber, AICP, LEED AP

Acting Planning Director

DATE:

November 6, 2012 Meeting

RE:

Design Review File No. 22926

980 West 48th Street - Single Family Home

The applicant, MJS Family Trust, is requesting Design Review Approval for the construction of a new 2-story home, to replace an existing pre-1942 architecturally significant single story home, to be demolished.

LEGAL DESCRIPTION:

Lot 8, Block 11, of Subdivision Nautilus Addition, According to the Plat Thereof, as Recorded in Plat Book 8, Page 130, of the Public Records of Miami-Dade County, Florida.

HISTORY:

On February 7th, 2012, a separate application by a different applicant was approved by the Board, for the construction of a new 2-story home on the subject site.

The current application came before the Board on October 2, 2012, and was continued to a date certain of November 6, 2012 in order to address the concerns expressed by the Board and staff.

SITE DATA:

Zoning -

RS-4 (Residential Single Family)
RS (Residential Single Family)

Lot Size -

13,787 S.F.

Proposed Lot Coverage -

Future Land Use Designation-

4,054 S.F. / 29.4%

Maximum Lot Coverage is 3,446 SF (25%), unless waived by the Board, up to a maximum of 4,825 SF (35%)

Proposed unit size-

6,037 S.F. (43.8%) Maximum Unit Size is 6,893 SF (50%), unless waived by

the Board, up to a maximum of 9,650 SF (70%)

Proposed Height-

2-stories / 30 feet, according to the plans submitted

(Maximum = 32'-6")

Existing Use/Condition -

Vacant Single Story home

Proposed Use -

Single Family Home

THE PROJECT:

The applicant has submitted plans entitled "Loft House", as prepared by Eduardo Vasquez Architect, dated July 12, 2012

The applicant is proposing to demolish an existing single residence, contructed in 1941 and designed by Curtis Haley, and construct a new 2-story home.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, is inconsistent with the following requirements of the City Code:

1. Staff believes that the applicant has satisfied the below listed criteria in order to request a lot coverage in excess of 25%:

Section 142-108(g): New construction requirements for properties containing a single-family home constructed prior to 1942.

- (1) In addition to the development regulations and area requirements of section 142-105, as well as section 118-252, of the land development regulations of the City Code, the following regulations shall apply in the event the owner proposes to fully or substantially demolish an architecturally significant single-family home constructed prior to 1942, inclusive of those portions of a structure fronting a street or waterway. In the event of a conflict between the provisions of section 142-105 and section 118-252, and the regulations below, the provisions herein shall control:
 - a. The design review board (DRB) shall review and approve all new construction on the subject site, in accordance with the applicable criteria and requirements of chapter 118, article VI, section 251(a)1-12 of the land development regulations of the City Code.
 - b. The DRB review of any new structure, in accordance with the requirements of chapter 118, article VI, shall include consideration of the scale, massing, building orientation and siting of the original structure on the subject site, as well as the established building context within the immediate area.
 - c.1. The overall lot coverage of proposed new buildings or structures shall not exceed the building footprint of the original structure on site, or shall be limited to the following, whichever is greater, based upon the overall size of the subject lot:
 - i. For lots 10,000 square feet or less, the lot coverage shall not exceed 30 percent;
 - ii. For lots greater than 10,000 square feet, but less than 25,000 square feet, the lot coverage shall not exceed 25 percent;
 - iii. For lots 25,000 square feet or greater, the lot coverage shall not exceed 15 percent.
 - 2. The DRB may forgo the above noted lot coverage restrictions if it concludes that the retention of the architecturally significant single-family home is not practical or feasible, in which case the DRB review of any request for demolition shall consider the criteria in subsection (a) herein, as well as the following criteria:
 - i. Whether good cause for the demolition of the structure has been shown.
 - ii. Whether pertinent economic and financial considerations that affect the ability of the owner to renovate, restore and add on to the structure.

Meeting Date: November 6, 2012

iii. Whether the structural condition of the single-family home or other factors affect the feasibility of renovating, repairing or restoring the structure.

All zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

COMPLIANCE WITH DESIGN REVIEW CRITERIA:

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria is found to be satisfied, not satisfied or not applicable, as hereto indicated:

- The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
 Satisfied
- 2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.

 Satisfied
- 3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

 Satisfied
- The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.
 Not Satisfied; See Staff Analysis and Condition No. 3

The landscape plan provided has not been sufficiently developed.

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

Satisfied

- 6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.

 Satisfied
- 7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the

Meeting Date: November 6, 2012

surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

Satisfied

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

Satisfied

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

Satisfied

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

Not Satisfied; See Staff Analysis and Condition No. 3 The landscape plan provided has not been sufficiently developed.

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

Satisfied

12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

Satisfied

13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

Satisfied

14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

Satisfied

15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).

Not Applicable

Meeting Date: November 6, 2012

16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.

Satisfied

17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

Satisfied

STAFF ANALYSIS:

In February 2012, the Board previously approved the demolition of the existing home on the site, and the construction of a new 2-story home. It is very important to note however, that because the previously proposed home's lot coverage was less than 25%, good cause for the demolition of the existing home was not required. As the applicant for this new home is requesting a lot coverage of 29.4%, good cause for the demolition of the existing home must be demonstrated, as indicated in the Zoning Analysis section of this report. Since the previous meeting, the applicant has provided a more thorough analysis of the structural conditions of the building, prepared by Milton Cubas, P.E., including substantial photo documentation of the home's deficiencies. A separate inspection report, prepared by Cabal inspection Services Inc., was also provided, along with a cost analysis to repair the home, prepared by Solid Builders, Inc. Based on this much more comprehensive evidence, staff believes the Board may approve the additional lot coverage requested.

As indicated, previously, while the proposed floor plan is rather unconventional, with a two-story recreation room approximately 49 feet wide by 59 feet in length (2900 SF), or approximately 50% of the home's total area, and staff is not particularly enamored with barrel style roofs, staff believes that the architect has successfully broken down the mass of this structure in a manner that is compatible with the surrounding residential neighborhood. While the Board is charged with ensuring that any new replacement structure on the site complies with the Design Review Criteria, staff cannot ignore the concern for potential misuse of such a large assembly space in this residential neighborhood. The applicant should be fully aware that this is a single family zoning district and the only permitted use for this property is a single family home. Any other uses, included an Institutional use is not permitted. Further to this concern, and in light of the increased lot coverage requested, staff would recommend that the roof top deck be eliminated or substantially reduced, in order to lessen the potential negative impact for large rooftop gatherings overlooking the rear yards of two (2) adjacent properties. At a minimum, staff would recommend that the habitable area of the roof deck be setback ten (10) feet from the north face of the building.

Lastly, staff would also recommend further enhancement of the landscape plan for the site.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be approved, subject to the following conditions, which address the inconsistencies with the aforementioned Design Review criteria:

- 1. As per Section 142-102 of the City Code, the only permitted use for this single family district is a single family detached dwelling. There are no conditional uses for this zoning district; institutional uses are not permitted.
- 2. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. The proposed roof top deck shall be setback a minimum of ten (10) feet from the north face of the building, in a manner to be reviewed and approved by staff.
 - b. A high quality smooth stucco finish shall be required on the exterior of the home, except in areas where other non-stucco finishes are indicated on the plans, subject to the review and approval of staff.
 - c. The final design and details including materials, finishes, and colors for the proposed stone cladding and standing seam metal roof shall be provided, subject to the review and approval of staff.
 - d. Manufacturer's drawings and Dade County product approval numbers for all new windows, doors and glass shall be required, <u>prior</u> to the issuance of a building permit.
 - e. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.
 - f. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
- 3. A revised landscape plan, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. The use of sod within the sideyards of the home shall be reduced, in a manner to be reviewed and approved by staff.
 - b. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by staff.
 - c. Any existing plant material within the public right-of-way may be required to be removed, at the discretion of staff.
 - d. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
 - e. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.

- f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventors, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- g. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- h. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.
- 4. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.
- 5. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- 6. The applicant may be required to submit a separate analysis for water and sewer requirements, at the discretion of the Public Works Director, or designee. Based on a preliminary review of the proposed project, the following <u>may</u> be required by the Public Works Department:
 - a. Remove/replace sidewalks, curbs and gutters on all street frontages, if applicable. Unless otherwise specified, the standard color for city sidewalks is red, and the standard curb and gutter color is gray.
 - b. Mill/resurface asphalt in rear alley along property, if applicable.
 - c. Provide underground utility service connections and on-site transformer location, if necessary.
 - d. Provide back-flow prevention devices on all water services.
 - e. Provide on-site, self-contained storm water drainage for the proposed development.
 - f. Meet water/sewer concurrency requirements including a hydraulic water model analysis and gravity sewer system capacity analysis as determined by the

Department and the required upgrades to water and sewer mains servicing this project.

- g. Payment of City utility impact fees for water meters/services.
- h. Provide flood barrier ramps to underground parking or minimum slab elevation to be at highest adjacent crown road elevation plus 8".
- i. Right-of-way permit must be obtained from Public Works.
- j. All right-of-way encroachments must be removed.
- k. All planting/landscaping in the public right-of-way must be approved by the Public Works and Parks Departments.
- 7. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy, in a manner to be reviewed and coordinated by staff.
- 8. The Final Order shall be recorded in the Public Records of Miami-Dade County, <u>prior</u> to the issuance of a Building Permit.
- 9. At the time of completion of the project, only a **Final** Certificate of Occupancy (CO) or **Final** Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as any modifications approved or required by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.
- 10. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- 11. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- 12. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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